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14 **UNITED STATES DISTRICT COURT**
15 **FOR THE**
16 **NORTHERN DISTRICT OF CALIFORNIA**
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21 MATTHEW K. POTTS, an individual,
22 Plaintiff,

23 v.

24 VF OUTDOOR, INC., a Delaware
25 Corporation, and DOES I through X,
26 Defendant(s).
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CASE NO. C07 05213 BZ

**ADMINISTRATIVE MOTION
TO EXTEND DEADLINES SET
FORTH IN THE "ORDER
SETTING INITIAL CASE
MANAGEMENT CONFERENCE
AND ADR DEADLINES," and to
EXTEND DEADLINE TO
ACCEPT OR REJECT
MAGISTRATE JUDGE**

30 Plaintiff herein, Matthew K. Potts, by and through his counsel, hereby
31 moves this court for an order specifying that the dates relating to the initial case
32 management conference and ADR deadlines set by the court's "ORDER SETTING
33 INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES,"
34 and related dates, be reset as requested below, for the reasons and facts set forth
35 herein.
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1. Plaintiff's Complaint was filed on October 11, 2007. At that time, the Court issued its "ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES" (the "Order") setting dates for: (a) the filing of Joint ADR Certification with Stipulation to ADR Process or Notice of Need for ADR Phone conference (Feb. 11, 2008), (b) the filing of Rule 26(f) Report, and completion of initial disclosures or statement of objection in Rule 26(f) Report and filing of Case Management Statement (Feb. 25, 2008); and (c) Initial Case Management Conference (Mar. 3, 2008).

Additionally, the parties were given until the date of the filing of the Initial Case Management Conference Statement to accept or decline the appointment of the magistrate judge initially assigned to the case.

2. Plaintiff has not yet attempted to serve the Complaint and Summons on Plaintiff VF Outdoors for the reason that plaintiff and defendant have been engaged in discussions of a proposal that may lead to a resolution of the dispute underlying this action, without necessity for further proceedings in court. In the interest of furthering these discussions without adding the complication and acrimony of litigation, and to avoid incurring further costs and attorney fees, plaintiff has refrained from advancing the litigation forward until these discussions have concluded in one way or another. See Declaration of Michael L. Harrison submitted herewith.

3. Plaintiff did not attempt to obtain a stipulation regarding the present Administrative Motion because plaintiff has not yet served defendant and therefore defendant has not yet appeared in this action.

WHEREFORE, Plaintiff requests that this Court order:

1. That the Initial Case Management Conference of March 3, 2008, and all deadlines set forth therein in the INITIAL CASE MANAGEMENT SETTING be continued by the

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1 Court for a minimum of 90 days from the presently scheduled dates, and;

2 2. That the deadline to either accept or decline the appointment of a magistrate judge for
3 all purposes be extended for a minimum of 90 days from the present deadline.

4 Respectfully submitted,

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6 /s/

7 Michael L. Harrison

February 25, 2008

8 HARRISON & KAYLOR

9 Attorney for Plaintiff Matthew K. Pott

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